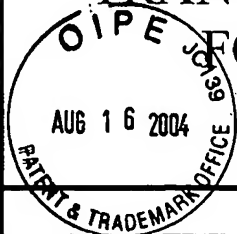


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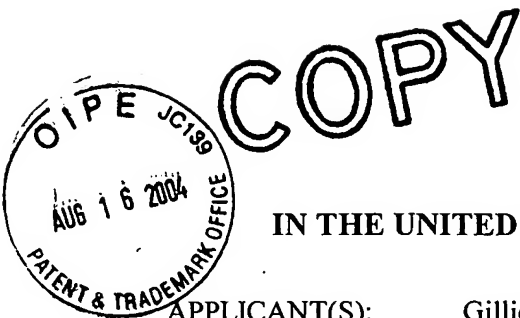


Application Serial Number	10/737,208
Filing Date	December 16, 2003
First Named Inventor	Gillies
Group Art Unit	1653
Examiner Name	Not yet assigned
Attorney Docket No.	LEX-023
Patent No.	Not applicable
Issue Date	Not applicable

ENCLOSURES (check all that apply)

<input type="checkbox"/> Fee Transmittal Form <input type="checkbox"/> Check Attached <input type="checkbox"/> Copy of Fee Transmittal Form  <input type="checkbox"/> Amendment/Response <input type="checkbox"/> Preliminary <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Letter to Official Draftsperson including Drawings [Total Sheets ____]  <input type="checkbox"/> Petition for Extension of Time  <input checked="" type="checkbox"/> Information Disclosure Statement <input checked="" type="checkbox"/> Form PTO-1449 <input checked="" type="checkbox"/> Copies of cited references (B1-B107 and C1-C261) <input type="checkbox"/> Check Attached  <input type="checkbox"/> Certified Copy of Priority Document(s)  <input type="checkbox"/> Sequence Listing submission <input type="checkbox"/> Paper Copy/CD <input type="checkbox"/> Computer Readable Copy <input type="checkbox"/> Statement verifying identity of above	<input type="checkbox"/> Copy of Notice to File Missing Parts of Application  <input type="checkbox"/> Formal Drawing(s)  <input type="checkbox"/> Request For Continued Examination (RCE) Transmittal  <input type="checkbox"/> Power of Attorney (Revocation of Prior Powers)  <input type="checkbox"/> Terminal Disclaimer  <input type="checkbox"/> Executed Declaration and Power of Attorney for Utility or Design Patent Application  <input type="checkbox"/> Small Entity Statement  <input type="checkbox"/> CD(s) for large table or computer program  <input type="checkbox"/> Amendment After Allowance  <input type="checkbox"/> Request for Certificate of Correction <input type="checkbox"/> Certificate of Correction (in duplicate)	<input type="checkbox"/> Notice of Appeal to Board of Patent Appeals and Interferences  <input type="checkbox"/> Appeal Brief (in triplicate)  <input type="checkbox"/> Status Inquiry  <input checked="" type="checkbox"/> Return Receipt Postcard  <input type="checkbox"/> Certificate of First Class Mailing under 37 C.F.R. 1.8  <input type="checkbox"/> Certificate of Facsimile Transmission under 37 C.F.R. 1.8  <input type="checkbox"/> Additional Enclosure(s) (please identify below)
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CORRESPONDENCE ADDRESS	SIGNATURE BLOCK
Direct all correspondence to: Patent Administrator Testa, Hurwitz & Thibault, LLP High Street Tower 125 High Street Boston, MA 02110 Tel. No.: (617) 248-7000 Fax No.: (617) 248-7100	Respectfully submitted,  Date: August 13, 2004 Reg. No. 48,645 Tel. No.: (617) 248-7697 Fax No.: (617) 248-7100 Brian A. Fairchild, Ph.D. Attorney for the Applicants Testa, Hurwitz & Thibault, LLP High Street Tower 125 High Street Boston, MA 02110



PATENT  
Attorney Docket No. LEX-023

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANT(S): Gillies *et al.* CONF. NO.: 6855  
SERIAL NO.: 10/737,208 GROUP NO.: 1653  
FILING DATE: December 16, 2003 EXAMINER: Not yet assigned  
TITLE: IMMUNOCYTOKINE SEQUENCES AND USES THEREOF

Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

INFORMATION DISCLOSURE STATEMENT

Sir:

In accordance with the provisions of 37 C.F.R. §§ 1.97 and 1.98, Applicants hereby make of record the patents and publications listed on the accompanying Form PTO-1449, and other information contained herein, for consideration by the Examiner in connection with the examination of the above-identified patent application. In accordance with the U.S. Patent and Trademark Office's partial waiver of the requirement under 37 C.F.R. § 1.98(a)(2)(i), only copies of the foreign patent documents and non-patent publications are enclosed.

REMARKS

In accordance with the provisions of 37 C.F.R. § 1.97, this statement is being filed (CHECK ONE):


- ☒ (1) within three (3) months of the **filing date** of a national application other than a continued prosecution application under 37 C.F.R. § 1.53(d), or within three (3) months of the **date of entry of the national stage** as set forth in 37 C.F.R. § 1.491 in an international application, or before the mailing of the **first Office action** on the merits, or before the mailing of a **first Office action** after the filing of a request for continued examination under 37 C.F.R. § 1.114; or
- ☐ (2) after the period defined in (1) but before the mailing date of a **final action** or a **notice of allowance** under 37 C.F.R. § 1.311, and
- ☐ the requisite Statement is below, **OR**
- ☐ the requisite fee under 37 C.F.R. § 1.17(p), namely **\$180.00**, is included herein, or

- ☐ (3) after the mailing date of a **final action** or **notice of allowance** but before the payment of the **issue fee**, **AND**
- ☐ the requisite Statement is below, **AND**
- ☐ the requisite petition fee under 37 C.F.R. § 1.17(p), namely **\$180.00** is included herein.

It is respectfully requested that each of the patents and publications listed on the attached Form PTO-1449, and other information contained herein, be made of record in this application. Please charge any fee deficiency or credit any overpayment to deposit account 20-0531.

Respectfully submitted,

August 13, 2004  
Reg. No. 48,645  
Tel. No.: (617) 248-7697  
Fax No.: (617) 248-7100

  
\_\_\_\_\_  
Brian A. Fairchild, Ph.D.  
Attorney for Applicants  
Testa, Hurwitz, & Thibeault, LLP  
High Street Tower  
125 High Street  
Boston, Massachusetts 02110

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FORM PTO - 1449

## INFORMATION DISCLOSURE STATEMENT

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ATTORNEY DOCKET NO. LEX-023

APPLICANT(S): Gillies *et al.*

SERIAL NO. 10/737,208

CONF. NO. 6855

FILING DATE: December 16, 2003 GROUP: 1653

## U.S. PATENT DOCUMENTS

EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	A1	07/348,237	5/5/89	Rosenblum <i>et al.</i>			
	A2	4,196,265	4/1/80	Koprowski <i>et al.</i>			
	A3	4,469,797	9/4/84	Albarella			
	A4	4,676,980	6/30/87	Segal <i>et al.</i>			
	A5	4,703,008	10/27/87	Lin			
	A6	4,816,567	3/28/89	Cabilly <i>et al.</i>			
	A7	4,946,778	8/7/90	Ladner <i>et al.</i>			
	A8	5,019,368	5/28/91	Epstein <i>et al.</i>			
	A9	5,073,627	12/17/91	Curtis <i>et al.</i>			
	A10	5,114,711	5/19/92	Bell <i>et al.</i>			
	A11	5,116,964	5/26/92	Capon <i>et al.</i>			
	A12	5,199,942	4/6/93	Gillis			
	A13	5,225,538	7/6/93	Capon <i>et al.</i>			
	A14	5,225,539	7/6/93	Winter			
	A15	5,258,498	11/2/93	Huston <i>et al.</i>			
	A16	5,314,995	5/24/94	Fell, Jr. <i>et al.</i>			
	A17	5,349,053	9/20/94	Landolfi			
	A18	5,359,035	10/25/94	Habermann			
	A19	5,441,868	8/15/95	Lin			
	A20	5,457,038	10/10/95	Trinchieri <i>et al.</i>			
	A21	5,514,582	5/7/96	Capon <i>et al.</i>			
	A22	5,538,866	7/23/96	Israeli <i>et al.</i>			
	A23	5,541,087	7/30/96	Lo <i>et al.</i>			
	A24	5,543,297	8/6/96	Cromlish, <i>et al.</i>			
	A25	5,547,933	8/20/96	Lin			
	A26	5,552,524	09/03/96	Basinski <i>et al.</i>			
	A27	5,585,089	12/17/96	Queen <i>et al.</i>			

EXAMINER

DATE CONSIDERED



<b>FORM PTO - 1449</b>				<b>ATTORNEY DOCKET NO. LEX-023</b>			
<b>INFORMATION DISCLOSURE STATEMENT</b>				<b>APPLICANT(S): Gillies <i>et al.</i></b>			
				<b>SERIAL NO. 10/737,208</b>		<b>CONF. NO. 6855</b>	
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<b>U.S. PATENT DOCUMENTS</b>							
<b>EXAM. INIT.</b>		<b>DOCUMENT NUMBER</b>	<b>DATE</b>	<b>NAME</b>	<b>CLASS</b>	<b>SUB CLASS</b>	<b>FILING DATE IF APPROPRIATE</b>
	A28	5,601,819	2/11/97	Wong et al.			
	A29	5,609,846	3/11/97	Goldenberg			
	A30	5,618,698	4/8/97	Lin			
	A31	5,624,821	4/29/97	Winter et al.			
	A32	5,639,725	6/17/97	O'Reilly et al.			
	A33	5,645,835	7/8/97	Fell, Jr. et al.			
	A34	5,650,150	7/22/97	Gillies			
	A35	5,650,492	7/22/97	Gately et al.			
	A36	5,667,776	9/16/97	Zimmerman et al.			
	A37	5,679,543	10/21/97	Lawlis			
	A38	5,688,679	11/18/97	Powell			
	A39	5,691,309	11/25/97	Basinski et al.			
	A40	5,709,859	1/20/98	Aruffo et al.			
	A41	5,719,266	02/17/98	DiMarchi et al.			
	A42	5,723,125	3/3/98	Chang et al.			
	A43	5,726,044	3/10/98	Lo et al.			
	A44	5,728,552	3/17/98	Fujisawa et al.			
	A45	5,733,876	3/31/98	O'Reilly et al.			
	A46	5,756,349	5/26/98	Lin			
	A47	5,756,461	05/26/98	Stephens			
	A48	5,759,551	6/2/98	Ladd et al.			
	A49	5,770,195	6/23/98	Hudziak et al.			
	A50	5,800,810	9/1/98	Doyle et al.			
	A51	5,807,715	9/15/98	Morrison et al.			
	A52	5,827,516	10/27/98	Urban et al.			
	A53	5,837,682	11/17/98	Folkman et al.			
	A54	5,843,423	12/1/98	Lyman et al.			
<b>EXAMINER</b>				<b>DATE CONSIDERED</b>			

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EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	A55	5,854,205	12/29/98	O'Reilly et al.			
	A56	5,856,298	1/5/99	Strickland			
	A57	5,858,347	1/12/99	Bauer et al.			
	A58	5,885,795	3/23/99	O'Reilly et al.			
	A59	5,886,178	3/23/99	Allen et al.			
	A60	5,888,772	3/30/99	Okasinski et al.			
	A61	5,891,680	4/6/99	Lieschke et al.			
	A62	5,908,626	6/1/99	Chang et al.			
	A63	5,922,685	7/13/99	Rakhmilevich et al.			
	A64	5,955,422	9/21/99	Lin			
	A65	5,994,104	11/30/99	Anderson et al.			
	A66	5,994,126	11/30/99	Steinman et al.			
	A67	6,080,409	6/27/00	Laus et al.			
	A68	6,086,875	7/11/00	Blumberg et al.			
	A69	6,100,387	8/8/00	Herrmann et al.			
	A70	6,169,070	1/2/01	Chen et al.			
	A71	6,171,588	1/9/01	Carron et al.			
	A72	6,231,536	5/15/01	Lentz			
	A73	6,277,375	8/21/01	Ward			
	A74	6,284,536	9/4/01	Morrison et al.			
	A75	6,335,176	1/1/02	Inglese et al.			
	A76	6,340,742	1/22/02	Burg et al.			
	A77	6,348,192	2/19/02	Chan et al.			
	A78	6,406,689	6/18/02	Falkenberg et al.			
	A79	6,429,199	8/6/02	Krieg et al.			
	A80	6,444,792	9/3/02	Gray et al.			
	A81	6,475,717	11/5/02	Enssle et al.			
<b>EXAMINER</b>				<b>DATE CONSIDERED</b>			

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EXAM. INIT.		DOCUMENT NUMBER	DATE	NAME	CLASS	SUB CLASS	FILING DATE IF APPROPRIATE
	A82	6,485,726	11/26/02	Blumberg et al.			
	A83	6,500,641	12/31/02	Chen et al.			
	A84	6,506,405	1/14/03	Desai et al.			
	A85	6,551,592	4/22/03	Lindhofer et al.			
	A86	6,583,272	6/24/03	Bailon			
	A87	6,586,398	7/1/03	Kinstler et al.			
	A88	6,617,135	9/9/03	Gillies et al.			
	A89	6,646,113	11/11/03	Dreyfuss et al.			
	A90	2001/0053539	12/20/01	Lauffer et al.			
	A91	2002/0037558	3/28/02	Lo et al.			
	A92	2002/0081664	6/27/02	Lo et al.			
	A93	2002/0142374	10/3/02	Gallo et al.			
	A94	2002/0146388	10/10/02	Gillies			
	A95	2002/0147311	10/10/02	Gillies et al.			
	A96	2002/0192222	12/19/02	Blumberg et al.			
	A97	2002/0193570	12/19/02	Gillies et al.			
	A98	2003/0003529	1/2/03	Bayer			
	A99	2003/0044423	3/6/03	Gillies et al.			
	A100	2003/0049227	3/13/03	Gillies et al.			
	A101	2003/0105294	6/5/03	Gillies et al.			
	A102	2003/0012789	1/6/03	Blumberg et al.			
	A103	2003/0139365	7/24/03	Lo et al.			
	A104	2003/0139575	7/24/03	Gillies			
	A105	2003/0157054	8/21/03	Gillies et al.			
	A106	2003/0166163	9/4/03	Gillies			
	A107	2003/0166877	9/4/03	Gillies et al.			
	A108	2004/0013640	1/22/04	Zardi et al.			
<b>EXAMINER</b>				<b>DATE CONSIDERED</b>			

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<b>EXAM. INIT.</b>		<b>DOCUMENT NUMBER</b>	<b>DATE</b>	<b>NAME</b>	<b>CLASS</b>	<b>SUB CLASS</b>	<b>FILING DATE IF APPROPRIATE</b>
	A109	2004/0033210	2/19/04	Gillies			
	A110	2004/0043457	3/4/04	Schumacher et al.			
	A111	2004/0053366	3/18/04	Lo et al.			
	A112	2004/0072299	4/15/04	Gillies et al.			
	A113	2004/0082039	4/29/04	Gillies et al.			
<b>EXAMINER</b>				<b>DATE CONSIDERED</b>			

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<b>FOREIGN PATENT DOCUMENTS</b>									
EXAM INIT.		DOCUMENT NUMBER	DATE	COUNTRY CODE	CLASS	SUB CLASS	FILING DATE	ABSTRACT ONLY	ENGLISH LANG (Y/N)
	B1	0 158 198 A1	10/16/85	EP					Y
	B2	0 211 769 A2	2/25/87	EP					Y
	B3	0 256 714 A2	2/24/88	EP					Y
	B4	0 294 703 A2	12/14/88	EP					Y
	B5	0 308 936 B1	3/29/89	EP					Y
	B6	0 314 317 B1	5/3/89	EP					Y
	B7	0 318 554 B1	6/7/89	EP					Y
	B8	0 319 012 A2	6/7/89	EP					Y
	B9	0 326 120 B1	8/2/89	EP					Y
	B10	0 350 230 A2	1/10/90	EP					Y
	B11	0 375 562 B1	6/27/90	EP					Y
	B12	0 396 387 A2	11/7/90	EP					Y
	B13	0 439 095 A2	7/31/91	EP					Y
	B14	0 511 747 A1	11/4/92	EP					Y
	B15	0 601 043 B1	6/15/94	EP					Y
	B16	0 640 619 A1	3/1/95	EP					Y
	B17	0 668 353 A1	8/23/95	EP					Y
	B18	0 706 799 A2	4/17/96	EP					Y
	B19	0 790 309 A1	8/20/97	EP					Y
	B20	1 088 888 A1	4/4/01	EP					Y
	B21	21725/88	3/23/89	AU					Y
	B22	93100115.3	7/14/93	CN					N
	B23	93100115.3	7/14/93	CN				Y	Y
	B24	37 12985 A1	11/2/88	DE					N
	B25	37 12985	11/2/88	DE				Y	Y
<b>EXAMINER</b>					<b>DATE CONSIDERED</b>				

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## INFORMATION DISCLOSURE STATEMENT

ATTORNEY DOCKET NO. LEX-023

APPLICANT(S): Gillies *et al.*

SERIAL NO. 10/737,208 CONF. NO. 6855

FILING DATE: December 16, 2003 GROUP: 1653

## FOREIGN PATENT DOCUMENTS

EXAM INIT.		DOCUMENT NUMBER	DATE	COUNTRY CODE	CLASS	SUB CLASS	FILING DATE	ABSTRACT ONLY	ENGLISH LANG (Y/N)
	B26	2 292 382 A	2/21/96	GB					Y
	B27	63-267278	11/4/88	JP					N
	B28	63-267278	11/4/88	JP				Y	Y
	B29	63-267296	11/4/88	JP					N
	B30	63-267296	11/4/88	JP				Y	Y
	B31	0 237 019 A2	9/16/87	EP				English counterpart of JP 63- 267296	Y
	B32	WO 86/01533	3/13/86	PCT					Y
	B33	WO 88/00052	1/14/88	PCT					Y
	B34	WO 88/09344	12/1/88	PCT					Y
	B35	WO 89/02922	4/6/89	PCT					Y
	B36	WO 89/09620	10/19/89	PCT				Abstract in English	N
	B37	WO 90/03801	4/19/90	PCT					Y
	B38	WO 91/00360	1/10/91	PCT					Y
	B39	WO 91/04329	04/04/91	PCT					Y
	B40	WO 91/08298	6/13/91	PCT					Y
	B41	WO 91/13166	9/5/91	PCT					Y
	B42	WO 91/14438	10/3/91	PCT					Y
	B43	WO 92/02240	2/20/92	PCT					Y
	B44	WO 92/08495	5/29/92	PCT					Y
	B45	WO 92/08801	5/29/92	PCT					Y
	B46	WO 92/16562	10/1/92	PCT					Y
	B47	WO 93/03157	2/18/93	PCT					Y
	B48	WO 93/10229	5/27/93	PCT					Y
	B49	WO 93/20185	10/14/93	PCT					
EXAMINER					DATE CONSIDERED				

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## INFORMATION DISCLOSURE STATEMENT

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## FOREIGN PATENT DOCUMENTS

EXAM INIT.		DOCUMENT NUMBER	DATE	COUNTRY CODE	CLASS	SUB CLASS	FILING DATE	ABSTRACT ONLY	ENGLISH LANG (Y/N)
	B50	WO 94/24160	10/27/94	PCT					Y
	B51	WO 94/25055	11/10/94	PCT					Y
	B52	WO 95/05468	2/23/95	PCT					Y
	B53	WO 95/21258	8/10/95	PCT					Y
	B54	WO 95/28427	10/26/95	PCT					Y
	B55	WO 95/31483	11/23/95	PCT					Y
	B56	WO 96/04388	02/15/96	PCT					Y
	B57	WO 96/05309	2/22/96	PCT					Y
	B58	WO 96/08570	3/21/96	PCT					Y
	B59	WO 96/18412	6/20/96	PCT					Y
	B60	WO 96/31526	10/10/96	PCT					Y
	B61	WO 97/00317	1/3/97	PCT					Y
	B62	WO 97/00319	1/3/97	PCT					Y
	B63	WO 97/15666	5/1/97	PCT					Y
	B64	WO 97/20062	6/5/97	PCT					Y
	B65	WO 97/24137	7/10/97	PCT					Y
	B66	WO 97/24440	7/10/97	PCT					Y
	B67	WO 97/26335	7/24/97	PCT					Y
	B68	WO 97/30089	8/21/97	PCT					Y
	B69	WO 97/33617	9/18/97	PCT					Y
	B70	WO 97/33619	9/18/97	PCT					Y
	B71	WO 97/34631	9/25/97	PCT					Y
	B72	WO 97/43316	11/20/97	PCT					Y
	B73	WO 98/00127	1/8/98	PCT					Y
	B74	WO 98/06752	2/19/98	PCT					Y
	B75	WO 98/28427	7/2/98	PCT					Y
EXAMINER					DATE CONSIDERED				

<b>FORM PTO - 1449</b>				<b>ATTORNEY DOCKET NO. LEX-023</b>					
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	B76	WO 98/30706	7/16/98	PCT					Y
	B77	WO 98/46257	10/22/98	PCT					Y
	B78	WO 98/59244	12/30/98	PCT					Y
	B79	WO 99/02709	01/21/99	PCT					Y
	B80	WO 99/03887	01/28/99	PCT					Y
	B81	WO 99/29732	6/17/99	PCT					Y
	B82	WO 99/43713	9/2/99	PCT					Y
	B83	WO 99/52562	10/21/99	PCT					Y
	B84	WO 99/53958	10/28/99	PCT					Y
	B85	WO 99/60128	11/25/99	PCT					Y
	B86	WO 99/62944	12/09/99	PCT					Y
	B87	WO 99/66054	12/23/99	PCT					Y
	B88	WO 00/11033	3/2/00	PCT					Y
	B89	WO 00/24893	5/4/00	PCT					
	B90	WO 00/34317	06/15/00	PCT					Y
	B91	WO 00/40615	7/13/00	PCT					Y
	B92	WO 00/68376	11/16/00	PCT					Y
	B93	WO 00/69913	11/23/00	PCT					Y
	B94	WO 00/78334	12/28/00	PCT					Y
	B95	WO 01/07081	2/1/01	PCT					Y
	B96	WO 01/10912	2/15/01	PCT					Y
	B97	WO 01/36489	5/25/01	PCT					Y
	B98	WO 01/58957	8/16/01	PCT					
	B99	WO 02/02143	1/10/02	PCT					
	B100	WO 02/066514	8/29/02	PCT					Y
	B101	WO 02/072605	9/19/02	PCT					
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<b>FOREIGN PATENT DOCUMENTS</b>									
EXAM INIT.		DOCUMENT NUMBER	DATE	COUNTRY CODE	CLASS	SUB CLASS	FILING DATE	ABSTRACT ONLY	ENGLISH LANG (Y/N)
	B102	WO 02/079232	10/10/02	PCT					
	B103	WO 02/079415	10/10/02	PCT					
	B104	WO 02/090566	11/14/02	PCT					
	B105	WO 03/015697	2/27/03	PCT					Y
	B106	WO 03/048334	6/12/03	PCT					
	B107	WO 03/077834	9/25/03	PCT					Y
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